

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

#12

In re Patent No. 6,210,428 B1 )  
Issued: April 3, 2001 )  
Inventors: Augustine et al )

**Title: SYSTEM AND METHOD FOR TREATMENT OF HYPOTHERMIA**

**CERTIFICATION UNDER 37 CFR § 1.8**

I hereby certify that the documents referred to as enclosed herein are being deposited with the United States Postal Service as first class mail on this date 8 June 2001, in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231

8 June 2001

Date

Randall A. Mead

Signature

**RECEIVED**

JUN 13 2001

Assistant Commissioner for Patents  
Washington, D.C. 20231

OFFICE OF PETITIONS

AMERICAN CENTER R3700

**PETITION TO CORRECT INVENTORSHIP IN 6,210,428  
AN ISSUED PATENT UNDER 37CFR 1.324**

**RECEIVED**

Augustine Medical, Inc., the owner of all right, title, and interest in U.S. Patent No. 6,210,428 B1 hereby petitions to correct inventorship in U.S. Patent No. 6,210,428 B1 as follows:

delete Randall C. Arnold; and

add Douglas J. Augustine.

The inclusion of Randall C. Arnold as a co-inventor occurred through an error which arose without any deceptive intention.

The omission of Douglas J. Augustine as a co-inventor occurred through an error which arose without any deceptive intention.

Statements under 37 CFR 1.324(b)(1), (b)(2), and (b)(3) accompany this paper.

The fee required under 37 CFR 1.20(b) accompanies this paper. The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment, to Deposit Account No. 07-1895. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

*Terrance A. Meador*

TERRANCE A. MEADOR  
Reg. No. 30,298

Date: 8 June 2001

GRAY CARY WARE & FREIDENRICH  
4365 Executive Drive, Suite 1600  
San Diego, CA 92121-2189

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent No. 6,210,428 B1 )  
Issued: April 3, 2001 )  
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Title: SYSTEM AND METHOD FOR TREATMENT OF HYPOTHERMIA

Assistant Commissioner for Patents  
Washington, D.C. 20231

STATEMENT BY SHIRLEY E. AUGUSTINE UNDER 37 CFR 1.324

I, Shirley E. Augustine, Route 1, Box 259, Sandstone, Minnesota 55072, state as follows:

I am the wife of Douglas J. Augustine;

Douglas J. Augustine is deceased;

On behalf of Douglas J. Augustine, I state that Douglas J. Augustine was omitted as an inventor from U.S. Patent No. 6,210,428 B1 through an inventorship error that occurred without any deceptive intent on the part of Douglas J. Augustine.

I declare that all statements made herein of my own knowledge are true and all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of U.S. Patent No. 6,210,428 B1.

June 1-2001  
DATE

Shirley E. Augustine  
SHIRLEY E. AUGUSTINE

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Title: SYSTEM AND METHOD FOR TREATMENT OF HYPOTHERMIA

Assistant Commissioner for Patents  
Washington, D.C. 20231

**STATEMENT BY JOHN E. THOMAS UNDER 37 CFR 1.324**

I, John E. Thomas, state as follows:

I am the President of Augustine Medical, Inc., and I am authorized to act on behalf of Augustine Medical, Inc.;

By virtue of an assignment recorded in the U.S. Patent Office on April 13, 1992 at Reel 6082, Frame 0560, Augustine Medical, Inc. is the owner of the entire right, title and interest in and to U.S. Patent No. 6,210,428 B1;

I have reviewed the evidentiary documents concerning the ownership of U.S. Patent No. 6,210,428 B1 and, to the best of my knowledge and belief they establish the entire right, title, and interest to U.S. Patent No. 6,210,428 B1 in Augustine Medical, Inc.;

Augustine Medical, Inc. agrees that Randall C. Arnold should be deleted as a co-inventor of U.S. Patent No. 6,210,428 B1 and that Douglas J. Augustine should be added as a co-inventor of U.S. Patent No. 6,210,428 B1.

I declare that all statements made herein of my own knowledge are true and all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of U.S. Patent No. 6,210,428 B1.

6/6/01

DATE

John E. Thomas  
JOHN E. THOMAS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent No. 6,210,428 B1 )  
Issued: April 3, 2001 )  
Inventors: Augustine et al )

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OFFICE OF PETITIONS

Title: SYSTEM AND METHOD FOR TREATMENT OF HYPOTHERMIA

Assistant Commissioner for Patents  
Washington, D.C. 20231

STATEMENT BY RANDALL C. ARNOLD UNDER 37 CFR 1.324

I, Randall C. Arnold, 14810 McGinty Road West, Minnetonka, Minnesota 55391, state  
as follows:

I am named as an inventor on U.S. Patent No. 6,210,428 B1, issued April 3, 2001;

I agree that I should be deleted as a co-inventor on U.S. Patent No. 6,210,428 B1; and

I have no disagreement to the addition of Douglas J. Augustine as a co-inventor on U.S.  
Patent No. 6,210,428 B1.

I declare that all statements made herein of my own knowledge are true and all  
statements made on information and belief are believed to be true; and further that these  
statements were made with the knowledge that willful false statements and the like so made are  
punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States  
Code, and that such willful false statements may jeopardize the validity of U.S. Patent No.  
6,210,428 B1.

6-6-01

DATE



RANDALL C. ARNOLD

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In re Patent No. 6,210,428 B1 )  
Issued: April 3, 2001 )  
Inventors: Augustine et al )

Title: SYSTEM AND METHOD FOR TREATMENT OF HYPOTHERMIA

Assistant Commissioner for Patents  
Washington, D.C. 20231

STATEMENT BY SCOTT D. AUGUSTINE UNDER 37 CFR 1.324

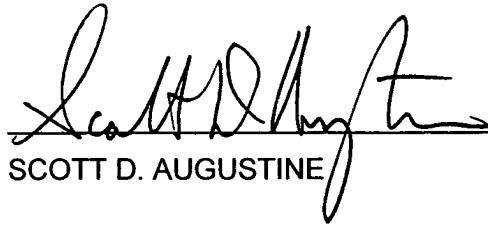
I, Scott D. Augustine, 9017 Cavell Circle, Bloomington, Minnesota 55438, state as follows:

I am named as an inventor on U.S. Patent No. 6,210,428 B1, issued April 3, 2001; and

I agree that Randall C. Arnold should be deleted as a co-inventor on U.S. Patent No. 6,210,428 B1, and I agree that Douglas J. Augustine should be added as a co-inventor on U.S. Patent No. 6,210,428 B1.

I declare that all statements made herein of my own knowledge are true and all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of U.S. Patent No. 6,210,428 B1.

6/6/01  
DATE

  
SCOTT D. AUGUSTINE

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JUN 13 2001  
PAUL ROOM  
U.S. PATENT & TRADEMARK OFFICE

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